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PATENT & TRADEMARK OFFICE

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CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL  
(only for Continuation or Divisional  
applications under 37 CFR 1.53(d))

Submit an original and a duplicate for  
fee processing

Docket No.: P-LJ-3597

Prior Application Info:  
Examiner: J. Souaya  
Group/Art Unit: 1634 \

Check box, if applicable:  
☒ DUPLICATE

Address to: COMMISSIONER FOR PATENTS  
Box CPA  
Washington, D.C. 20231



23601

PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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DATE OF DEPOSIT: November 22, 2002

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER  
37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS  
ADDRESSED TO: COMMISSIONER FOR PATENTS, BOX CPA,  
WASHINGTON, D.C. 20231.

Susan Fay L. Francisco  
(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

Susan Fay L. Francisco  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

This is a request for filing a  
X continuation \_\_\_\_\_ divisional

application under 37 C.F.R. 1.53(d), of pending prior application  
serial no. 09/375,246, filed on August 16, 1999.

Title: METHODS FOR IDENTIFYING SOMATIC CHANGES IN GENOMIC  
SEQUENCES USEFUL FOR CANCER DIAGNOSIS AND PROGNOSIS

Inventor(s) (full name of each inventor): Manuel Perucho and  
Sergei Malkhosyan

The above-identified prior application, in which no payment  
of the issue fee, abandonment of, or termination of proceedings  
has occurred, is hereby expressly abandoned as of the filing date  
of this request for a CPA. The above-identified prior application  
is a non-provisional application that is either: (1) complete as  
defined by 37 CFR 1.51(b) or (2) the national stage of an  
international application in compliance with 35 U.S.C. 371. A  
CPA may only be filed in an application if the prior  
nonprovisional application was filed before May 29, 2000.

1. X Enter the unentered amendment previously filed on  
March 22, 2002, under 37 C.F.R. 1.116 in the prior  
nonprovisional application.
2. \_\_\_\_\_ A preliminary amendment is enclosed.
3. Small entity status:
  - a. \_\_\_\_\_ A small entity statement is enclosed.
  - b. X A small entity statement was filed in the prior  
nonprovisional application, serial no. 09/375,246,  
and such status is still proper and desired.
  - c. \_\_\_\_\_ is no longer claimed.

Inventors: Perucho and Malkhosyan  
Serial No.: 09/375,246  
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5. The power of attorney in the prior application is to CAMPBELL & FLORES LLP.
6. — A new power of attorney or authorization of agent is enclosed.
7. This application is filed by fewer than all the inventors named in the prior application (37 CFR 1.53(d)(4)).  
a. — DELETE the following inventor(s) in the prior nonprovisional application: \_\_\_\_\_  
b. — The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
8. X A return receipt postcard is enclosed.
9. X A Patent Application Bibliographic Data Sheet is enclosed.
10. X A Petition for Extension of Time is enclosed.
11. — Receipt for Facsimile Transmitted CPA (PTO/SB/29A) is enclosed.
12. — Request for Nonpublication and Certification is enclosed.

The filing fee is calculated below:

	NUMBER FILED		NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS	21 - 20	=	1	x	\$9 \$18	
INDEPENDENT CLAIMS	5 - 3	=	2	x	\$42 \$84	
MULTIPLE DEPENDENT CLAIMS _____ YES _____ NO <u>X</u>					\$140 \$280	
BASIC FEE					\$370 \$740	
TOTAL FEE						\$

13. X A check in the amount of \$980.00, which covers the fee for the five-month extension of time is enclosed.
14. X The filing fee is not enclosed. Do not charge our deposit account.
15. — The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

Inventors: Perucho and Malkhosyan  
Serial No.: 09/375,246  
Filing Date: August 16, 1999  
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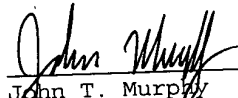
16. X The Commissioner is hereby authorized to charge to Deposit Account No. 03-0370 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Address all future communications to:

Cathryn Campbell  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive, 7<sup>th</sup> Floor  
San Diego, California 92122  
telephone: (858) 535-9001  
facsimile: (858) 535-8949  
USPTO CUSTOMER NO. 23601

Respectfully submitted,

Date: November 22, 2002

  
John T. Murphy  
Registration No. 50,583  
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San Diego, California 92122

\_\_\_ inventor(s)

X agent of record

\_\_\_ assignee of complete  
interest

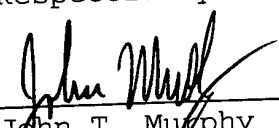
\_\_\_ filed under Sec. 1.34(a)

Inventors: Perucho and Malkhosyan  
Serial No.: 09/375,246  
Filed: August 16, 1999  
Page 2

The Commissioner is hereby authorized to charge payment of any additional fees associated with the filing submitted herewith or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: November 22, 2002

  
\_\_\_\_\_  
John T. Murphy  
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San Diego, California 92122  
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PATENT APPLICATION BIBLIOGRAPHIC  
DATA SHEET (2 PAGES)  
Attorney Docket No: P-LJ 3597

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Susan Faye L. Francisco  
Printed Name of Person Mailing Paper or Fee

Susan Faye L. Francisco  
Signature of Person Mailing Paper or Fee